

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RODNEY DAWSON,

Plaintiff,

v.

TOWNSHIP OF OCEAN, et al.,

Defendants.

HONORABLE JOSEPH E. IRENAS

CIVIL ACTION NO. 09-6274
(JEI/JS)

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

APPEARANCES:

MALLON & TRANGER

By: Michael J. Fioretti, Esq.

Thomas J. Mallon, Esq.

86 Court Street

Freehold, NJ 07728

Counsel for Plaintiff

SCHWARTZ & POSNOCK, ESQS.

By: David A. Schwartz, Esq.

901 West Park Ave., Suite 2-E

Ocean, NJ 07712

Counsel for Defendants

IRENAS, Senior District Judge:

This matter having appeared before the Court upon Defendants' Motion for Summary Judgment (Dkt. No. 38), the Court having considered the submissions of the parties, for the reasons set forth in an Opinion issued by this Court on even date herewith, and for good cause appearing;

IT IS on this 29th day of May, 2012,

ORDERED THAT:

1. Defendants' Motion for Summary Judgment is hereby **GRANTED** as to Plaintiff's state and federal constitutional claims for municipal liability, injunctive relief, false arrest/false imprisonment, malicious prosecution, and malicious abuse of process, and Plaintiff's state law claims for assault and battery, malicious prosecution, malicious abuse of process and false arrest/imprisonment.

2. Defendants' Motion is hereby **DENIED** as to Plaintiff's constitutional claims for excessive force, failure to intervene, and supervisory liability.

4. The Clerk of the Court is hereby directed to **TERMINATE** Township of Ocean and Antonio Amodio, Jr. as parties to this action.

s/Joseph E. Irenas
JOSEPH E. IRENAS, S.U.S.D.J.